2: Courlander B-5 (1937-1955) 1960 SV3 Haiti SV3

643
*533
*539

Président passé là,
L'ap monté au gouvernment! [Ex. 118]

The President passes by,
He is taking over the government!
The President passes by,
He is taking over the government!

*533 It is not only great political events that are perpetuated in songs like
758 these; many are the comments on little people in the government,
●646 such as a legislator named Daniel Fignolé. One of Fignolé's deeds, probably apocryphal, which is recorded in folk song has to do with an act of justice in a hospital in Port-au-Prince. According to the song, Fignolé entered the hospital and found the rich patients on beds and the poor patients on mats on the floor. He promptly ordered the rich patients placed on the floor and the poor patients placed on the beds. (A few
[643] years later, after serving as president for less than three weeks, Fignolé became a political exile in the United States.)

*533 There is also an old song about a government engineer named Louis
499 Gentil Tippenhauer—or Ti 'Benhauer (Little 'Benhauer), as he was com-
496 monly known. Tippenhauer is now an old man, but when he was young he was in charge of the construction of a section of the Haitian narrow-gauge railway. There was an accident in which a smoking locomotive jumped the tracks. Though small in stature, Tippenhauer had a forceful personality. He quickly assembled his workmen, and with chains, ropes, and crowbars they wrestled the locomotive back on the rails. The song commemorating the dramatic event was born at the height of the rescue operation. It is marked with concern for the feelings of Engineer Tippenhauer:

*[539]

Ti 'Benhauer *rélé*, "Porté cord pou' marré li!"
Ti 'Benhauer *rélé*, "Porté chaine pou' enchainé li!"
Si ou marré'l la laguè, devant Bondieu!
Pau' diab', pau' 'Benhauer, machine na derailé!
Pau' diab', pau' 'Benhauer, machine na derailé!

Ti 'Benhauer shouts, "Bring a rope to tie it!"
Ti 'Benhauer shouts, "Bring a chain to chain it!"
If you tie it, it unties itself, before God!
Poor devil, poor 'Benhauer, the machine is derailed!
Poor devil, poor 'Benhauer, the machine is derailed!

It is more than half a century since the affair of the derailed locomotive, and the railroad itself is not much longer for this world. But the song is still sung, and mostly by people who have no personal knowledge of the man named Tippenhauer.

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

development of interior transport. The only passable roads in the Republic run from Aux Cayes in the south to the capital, and from Cap Haïtien in the north to the capital. Transport and communications simply symbolize the power that Port-au-Prince wields, since the same circumstances characterize all national institutional arrangements. Thus Haiti is an extreme example of urban domination, even though its urban population is a fraction of the national total. The consequence has been to keep most of the rural folk cut off from the apparatus that effects national decisions and shapes national policy. Haiti's national legislature, never important in limiting presidential power, is less so today than ever; at best, it had only represented the interests of provincial towns as opposed to the capital, and never the interests of the mass of country people.

The local military and judiciary officials possess the formal authority vested in them by the state, and their power is very considerable. Few local people would dare challenge their decisions, and the devices for appeal against arbitrary exercise of authority are few. Admittedly, at the lowest local level the *chef de section*—who is traditionally appointed by the captain of the military in the *commune* center and is himself a yeoman—is subject to some genuine restraint by local inhabitants. Jean Comhaire-Sylvain (1955:620–24) has argued convincingly that the people of a community are capable of insisting on democratic procedure in those matters requiring decision that come to the attention of local authority. But such decisions have little or nothing to do with larger issues. The yeomanry cannot directly make its wishes felt in national politics; and national politics are conducted almost without reference to the aspirations of the rural masses. It is precisely in the separateness of local life from the mainstream of national decision-making that the political impotence of the yeomanry is demonstrated.

Haiti's agrarian nature cannot be expressed simply by saying it is a rural and yeoman country. Haiti does not have a "land problem," as that phrase is conventionally applied to Latin America. It does, it is true, suffer from land shortage, inasmuch as too little land is worked at too low a level of productivity and must feed too many mouths. But a very substantial proportion of the rural masses owns land, or has regular access to it. It is true that most land is held in small plots and without clear title. But those persons who own no land or who lack land to work are proportionally fewer than in any other Carib-

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

nature.[9] Colored women were forbidden in 1768 to marry white men. In 1779 began a series of laws designed to humiliate the colored person in public: his clothes must be of a different material and cut from the white person's; he must be indoors by nine o'clock in the evening; he might not sit in the same section of churches and theatres with whites.[10]

Just at the moment when prejudice and hatred seem to have reached their most menacing proportions, when even moderate white planters began to feel that such passions had been aroused among both white and colored folk that only brutal severity could hold them in check, the Revolution began in France. Both sides in the colony hoped to make use of it. The whites saw in the mother country's confusion an opportunity to win self-government for the colony—with themselves, of course, as the untrammeled rulers. The gens de couleur, taking to heart the noble Declaration of the Rights of Man, hoped to regain their full rights as French citizens, guaranteed to them in Louis XIV's Code, but now in abeyance.

During the fateful years 1788 to 1793 colonial affairs were intertwined with developments in France. Men and messages went back and forth between Cap Français and Paris, following the startling announcement that after a lapse of 150 years the States-General would be convoked in May, 1789. At a meeting of the colonial assembly in September, 1788, called to nominate delegates, the group of grands blancs who controlled colonial affairs decided on two daring steps, which later proved to be blunders: first, they named thirty-seven deputies to represent Saint-Domingue; second, they drew up a *Cahier des Doléances*—a list of grievances whose sole palliation, it was implied, would be the granting of permission to the white planters to govern the colony without interference from France. These two decisions, be it said, were not unanimously approved in the assembly at Cap Français; cautious minds warned against pretentious demands which might do nothing more than attract concentrated attention to the state of affairs in Saint-Domingue: it might be wiser, they argued, to let sleeping dogs lie, and ignore the convocation of the States-General. The cautious were outvoted.

9. A colored lawyer might win a case against a white man; a colored priest might have to hear the confession of a white woman.

10. When certain mulattoes arrived at church in Cap Français wearing clothes of the same texture as the whites', constables tore the garments from the backs of male and female alike, leaving them "with no other veil than their shame."

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

Political history of the next seventy-two years is a complicated story, of which only enough need be told here to illuminate the evolution of caste and social distinctions. Even a short summary reveals the bewildering confusion. Of the twenty-two heads of state between 1843 and 1915 only one served out his prescribed term of office;[a] three died while serving, one was blown up with his palace, one presumably poisoned, and one hacked to pieces by a mob; one resigned. The other fourteen were deposed by revolution after incumbencies ranging in length from three months to twelve years.

The Revolution of 1843 brought back into national prominence the whole matter of color and caste. The young revolutionaries, mostly light-skinned, seem to have assumed that their group was permanently in control. With cavalier highhandedness they set about capturing the last stronghold of Negro eminence: the army. They soon found, however, that they had caught a Tartar; their attempt to rule was fatal to them and their clique.

In the Constitutional Assembly convened to make a new constitution for the country, they professed astonishingly democratic doctrines. Proclaiming that the fault of former governments had been reliance upon military power, they now proposed to make civil power paramount by allowing the common people to vote. Since up to this time the franchise had been strictly limited to army officers and anciens libres, such a radical departure as general suffrage makes no sense unless conceived as an attempt to break the power of the Negro-controlled army, for surely the élite had no confidence in the wisdom of the peasantry. Weight is given to this explanation by the paradoxical action of the revolutionaries in promoting to high army rank some of the strongest mulatto partisans of civil government.

The new constitution was an immediate failure. Most of the colored élite condemned the giving of voting rights to peasants and workers; the army chiefs, generally black and illiterate, some of them aging veterans of 1803, bitterly resented being made subservient to young, inexperienced civil officers; in fact, even the new mulatto president, Rivière-Hérard, had no conception of government other than by military dictatorship.

Not only was the constitution a failure; so was the government of the young revolutionaries. A part of their weakness lay in their

a. The presidential term varied under different constitutions; some allowed a four-year term with the right of reflection, some six years with no reflection.

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

to his demands for revision and for his selection as president for life, retained the constitution they had written and chose Pétion president in his stead, the rupture was instant and complete.

Dictator as against restricted president, strong man as against class or group rule, Negro against mulatto, army against civil government, executive against legislature, North against South—these are the phases of the subsequent dichotomy in Haitian politics.

A good case can easily be made for the advocates of force in Haitian government, particularly in its early days. For years the majority of men had lost the habit of steady work on the land; a strong hand was needed to reëstablish in the countryside that economic order without which liberty shrivels. The people had become accustomed to taking orders from their military leaders, and these from their commanding officer. Those, moreover, were times of crisis, when France might suddenly descend again upon her former colony: few crises can be dealt with by debating societies. Looking back on the course of Haitian history, one may point out also that the country prospered under the dictatorships of Toussaint, Dessalines, and Christophe as it never did under the limited presidencies.[4]

In 1806, therefore, the aristocratic party got its wish, although only at the price of splitting the country in two. They established a government with a president of their own and a Senate filled with their representatives. The earliest legislation naturally enough favored their own landholding group. When prosperity did not result, Pétion began to recommend to the Senate a division of the land. More and more, although the representative form was preserved, Pétion ruled as a dictator. He was mild enough not to arouse antagonism; as is always the case when freedom of speech is curbed and summary legislation required, the plea of crisis was used to justify extraordinary measures.

The legislative party was firmly in the saddle by 1820 when Boyer reunited North and South, and shared his power with the Senate.

4. The argument for dictatorship is familiar to the modern world. A defense of "totalitarianism," published in 1816 by authority of Christophe (then King Henry I), is amusingly like certain European utterances of the nineteen-thirties: "The King has the sweet satisfaction of seeing that the cultivators [who were forced to work on the land whether they wanted to or not], being everywhere regularly paid [though the sum might be tiny], are praising the freedom they enjoy." And again: "Hayti chose a kingdom in order to shun forever that chaos, that confusion and perpetual clashing, which result from those monstrous associations known under the name of *popular bodies*." Anon., *Heytien Papers* (1816), pp. 109, 113.

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

175 642 643 Since he was president for twenty-five years (normal ones, as things go in Haiti), it is worth while to examine the functioning of the kind of government the upper class favored.

175 642 643 692 President Boyer's education and outlook were wholly French. He had formed his views of government principally upon French models, yet when he became head of state he could not forget his own military career. He said repeatedly that he wished to supersede the military by the civil power, but somehow never got around to it. The country was full of black generals, and it would have been difficult to retire them, primarily because they were black. He established courts to insure the rights of man, but since his newborn judiciary lacked the prestige to command respect, interpretation of the law came from the President—until before long he was himself the law. With a logic characteristic of the French, he tried to make the whole administration of the country orderly and tidy by codifying laws, laying out spheres of governmental departments, and properly ticketing matters in general. He had to be the sole judge of the intention and operation of statutes, however, and if necessary modify the nature of an act to suit his view of the public need. His honest and generally upright character perhaps made his enormous prerogatives conducive to the public good; but Boyer was a dictator in spite of his Senate, since when he found a law working badly he simply turned it from its normal course and gave it a quite contrary effect.

[646] [661] As the years of his long rule proceeded, he took more power to himself. When his Senate would not pass bills as he proposed them, he waited until they adjourned and then either neglected to execute their laws, or instructed the government printing office to change the wording. He clearly regarded the legislature as a necessary nuisance, to be kept as a sop to the élite and to preserve the appearance of republicanism before the world. Representatives from the various communes were recommended by the President, his nomination amounting almost always to election.[5]

900 Boyer was overthrown by the Revolution of 1843, by all odds the

[643] 5. The task of governing the whole island was obviously heavier than governing a fraction of it, so Boyer may have felt justified in his departures from strict constitutionality. He was always an indefatigable worker, whose intentions were uniformly laudable. He tried to rule alone, as had his illustrious predecessors. The hitch came because he was not of their calibre. He was worthy, virtuous—and mediocre. He would probably have made an excellent mayor of a French provincial town.

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

175 665 664 871 he seemed to be leading the country to progressive action; about 1830, however, a group better educated and more ambitious than their predecessors arose. Nourished on ideas acquired in France, they were shocked on their return by the miseries and governmental inaction which prevailed in Haiti. True, when Boyer pressed them to suggest constructive measures of reform they had little to suggest. Like many other critics they were better at tearing down than at building up.

175 642 204 208 665 By the constitution of 1816 they had the right of free speech and press, and made use of it to publish journals of criticism—*Le Phare*, *Le Télégraphe*, *La Feuille de Commerce*. Their sustained criticism kept alive the parliamentary opposition and gave it a focus; they were at least partially responsible for the Revolution of 1843. In spite of their diatribes, Boyer did not suppress these newspapers. If he had done so it is possible the Revolution might have come sooner. Not every dictator-president would permit such boldness as the following paragraph which appeared in 1843 in *Le Patriote*, an adversary of Boyer's own journal *Le Temps*:

> Let one look well at the things which are happening among us and then say whether, considering our first steps along the path, our progress has not been constantly slowed up now for some time, and whether this does not lead to a state of things in our country in which the most vital part of our civilization is struck by an immobility, almost a paralysis. Haiti is stationary, is retrograde: we need no other proof of it than this frightful uncertainty about the future which so deeply disturbs all serious minds and sincere patriots.

175 665 646 643 664 In 1838 Hérard Dumesle, president of the Chamber and a leader of the opposition, drew up and secured the passage of an "Address to the President of the Republic," which expressed certain just ideas of progress and pointed out that failure to achieve it was due to the mistakes of the administration. It was a bitterly critical and sometimes passionate document. Boyer was intensely angry and proceeded to violate the constitution: relying on the majority always at his disposal in the Chamber, he excluded from among the deputies those most hostile to his government.[8] But at the election of 1842 the communes of Les Cayes, Aquin, and Jérémie reëlected the expelled representatives, so confirming their criticism of the President.

8. Hérard Dumesle, Lauden, Lartigue, and David Saint-Preux.

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

When the Chamber of 1842 assembled Boyer once more forced the elimination of these men and several of their political friends.[9] The majority in the Chamber was so agitated over this expulsion that only twenty-eight out of seventy-two deputies thereafter appeared at any session. A dozen communes, among them the most important in the country (Port-au-Prince, Les Cayes, Gonaïves, Santo Domingo), had no representation. The deputies of the South avenged themselves by instituting a series of "patriotic banquets." At the plantations of adversaries of the government dinners were given for dozens of guests; the meals were followed by vibrant speeches, full of criticisms of the government. Thanks to the talent of these orators, the opposition likewise gradually filtered its way into the mass of the people, slowly but implacably undermining Boyer's government.

The President also had bad luck to contend with. During his presidency many catastrophies saddened the country. The arsenal blew up in 1827, burning the state warehouses and causing a loss of 5,000,000 piastres. A cyclone in 1831 desolated the South. Fires in 1832 and 1843 practically wiped out Port-au-Prince. An earthquake in 1842 shook the whole island, destroyed Santiago and Port-de-Paix, and transformed Cap-Haïtien into a mass of ruins; the fire which broke out in consequence was accompanied by pillaging which went on for several days. The parliamentary opposition to Boyer made use of these natural calamities to sharpen displeasure at the government.

In August, 1842, a secret association, The Society of the Rights of Man and of Citizen, was formed at Les Cayes to exploit this discontent and prepare the fall of Boyer. It circulated clandestinely throughout the South the ringing Manifesto by Praslin, a résumé of the charges of the opposition which was soon covered with signatures. When adherents of the society were numerous enough, an executive committee was formed with the commandant Rivière Hérard as president. At the end of January, 1843, an uprising occurred on the Praslin plantation.[10] General Borgella, head of the department of the South, proved irresolute; the insurrection, fostered by this indecision, spread rapidly among the troops, even generals joining in. By Febru-

9. The most important of the excluded deputies were Daniel Lespinasse, Corvington Aîné, Dominique, Beauvais, Pontbriant, Desmarattes Dumesle.
10. At Torbeck, in the department of the South.

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

was well enough, but all upper-class landlords wanted the privilege of living in leisure on an income derived from the menial labor of black workers. Fraternity was a principle ridiculous to a group whose never-ceasing struggle was to confirm the separation of castes. The term "Liberal," then, was borrowed not from the revolutionary documents of the late eighteenth century, but from the parliamentary parties of the nineteenth—those who saw more opportunity for themselves and their group if the power of tyrants and kings could be curbed by legislatures. The idea was particularly congenial to the Haitian intelligentsia for the simple reason that the powerful rulers of Haiti, past and present, were Negroes who did not share the aims and ideals of the social upper class.[12]

By holding such "liberal" views, the mulatto élite saw their one opportunity not only for curbing the strong men among the Negroes who again and again tried to rule Haiti as if it were a native African state and themselves the supreme chieftains, but also for indulging their own special penchants. A Senate filled with élite politicians suited the talents of the educated aristocrats. They liked constitutions and codes; the law was their favorite profession; they were adepts at drawing neat distinctions between this and that in an academic issue; polished oratory, skilful argument, fluent speech were knacks peculiar to them by temperament, position, education. Boyer had been the beau-ideal of the academic "liberals," with his talkative Senate, his complete set of Codes and national system of courts; the mid-century party members came to realize what they had lost by driving him out.

Every time the Nationalists came to power the colored élite suffered. Under Dessalines they lost greatly in property and position; Christophe had hated and hounded them; Soulouque put many of their leaders to death. The only monarchs Haiti ever had were blacks, and the two most tyrannical presidents in the first seventy-five years after independence were Nationalists (Pierrot, 1845–46, and Domingue, 1874–76).

The experience of the Liberal presidents with parliamentary institutions was not entirely a happy one, however. Pétion and Boyer had

12. It must be recalled that no parliaments of England, France, or the United States in the early nineteenth century had true democratic representation. Property qualifications for voting, rotten boroughs, and the persistence of privilege assured that only the "classes" should have full representation, and so rule the masses.

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

Pétion and Boyer had

suavity enough to rule constitutionally with a Senate which, since class interests were being served by the executive, did not curb their virtual dictatorships. Later presidents had more difficulty. Geffrard, for example, elected as a Liberal after the fall of Soulouque's grim empire, had made parliamentary government a battle cry of his campaign. In office, however, he was continually at loggerheads with his Senate, until he exercised his presidential privilege of dissolving it; in the end a revolution overthrew the Liberal parliamentarian because he had become a dictator. So with his successor Salnave (1867–69), likewise a Liberal, who almost immediately upon inauguration found it impossible to work with such a group of talkers. So once more with Nissage-Saget (1870–74), who followed Salnave: a professed believer in legislative responsibility, he refused to yield to the legislature on any important matter. A black Nationalist succeeded for two years, ruling despotically. Then came the last of the Liberal presidents, Boisrond-Canal (1876–79). This man was apparently determined to allow his legislature its full constitutional rights. As a result Haiti had more talk in the capital, and less action, than in almost any régime up to that time; then, as Montague says, "convinced that the constitutional régime was a failure, Haiti's most scrupulous president resigned in disgust."[13]

The Liberal party virtually disappeared from the scene in 1883, after two abortive coups by their leader of the moment, Boyer Bazelais. The first occurred in 1879 when the retiring President, Boisrond-Canal, gave Haiti one of her very rare honest elections, resulting in the choice of the Nationalist candidate Salomon. Bazelais and his men forsook their professed principles, rising in arms to seize power. They were suppressed. Four years later when the moment again seemed auspicious Bazelais led another revolution, which the President so effectively crushed that the leader himself was killed. The leaderless Liberals were no longer effective competitors in presidential politics. From that time until the American Occupation, the élite were out of power. One president only during those thirty-five years was a mulatto: Tancrède Auguste, one of the weakest rulers in Haitian history. He died, presumably poisoned, after eight months of office.

The era from 1883 to 1915 was Haiti's worst, politically. Revo-

13. Ludwell L. Montague, *Haiti and the United States, 1714–1938* (Durham, 1940), p. 18.

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

Even Geffrard the reformer,

175 643 661

ably the ablest president in the second half-century, who was pledged to reduce the expenses of government (a promise which, since he was accustomed to a life of penury, should have been easy to fulfill), increased his own salary to $50,000 a year, and allowed himself $20,000 more annually for secret service and a similar sum "for the encouragement of arts and sciences." He bought two estates with government money; the meat bill of his family was charged to the budget of his bodyguard, and the family champagne bill to a hospital. After Geffrard, the presidency was openly regarded as the juiciest financial plum in Haiti which, if one could pluck it, would justify the necessary expenditures for a revolution. It seems from contemporary comment, indeed, that Geffrard's actions aroused not censure but rather envy, as if every ambitious Haitian would have welcomed the opportunity to do likewise. The bitingly critical Englishman, Sir Spenser St. John, railed with some justice, "Every Haitian appears fully persuaded that his countrymen never seek office except for the purpose of improving their private fortunes."[15]

175 643 646

The legislature was never a real check upon the President. It was useful to him at times when he wished to delay action on some embarrassing imbroglio with a foreign power, for by referring a measure to the Senate he could stall it in tedious debate. Almost without exception, however, the legislature consisted of the President's men. Its halls were palaces of idle oratory. One whole session was devoted to a discussion of fitting the hall with cushioned seats; another to the propriety of appointing an interpreter for representatives who understood only Créole and not French. To make a man a Senator was a satisfactory way of paying a political debt. To be a Senator was to have social prominence, a salary of $1,600 (decidedly a competence in nineteenth-century Haiti), an opportunity to speak before an audience—and no real responsibility.

178

One may grant without debate the difficulties facing this small and poor country, a Negro state with great white neighbors who regarded it with something less than deference. Yet Haiti in its early days had real promise. Wherein lay its defects? Haitian thinkers knew the answers, and frequently indicted themselves.

175 871 565 658

The want of education was a basic weakness. Those who believe in democracy need no rehearsal of the benefits of popular enlightenment. Because the great Negro heads of state were themselves im-

15. *Hayti, or the Black Republic*, p. 185.

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

3. The unimportance of the legislature. It
232 has made THE HAITIAN PEOPLE useful patron

646 age for the president to dispense, and has preserved the semblance of
642 republican government; but hardly half a dozen legislative sessions in all Haitian history have contributed seminal ideas in politics or initiated true reforms. How could they, indeed, when the president was consistently a dictator of policy?

666 4. The undemocratic nature of the vote. Senators are chosen by
642 the representatives, and the two groups together have generally elected the president, when he did not come to power by revolution. The only chance people have had to vote has been for local officials and representatives. In these cases, the vote has been limited to the élite and the army, with the president's henchmen counting the ballots. Since the Occupation there have been plebiscites on constitutional changes, the people having the right to vote Yes or No.

692 5. The subservience of the courts to the president. They have been
643 filled with president's men, generally astute enough to consult presi-
642 dential wishes before handing down a decision. Foreign merchants soon learned that they could expect little "justice" from the courts if their own cause conflicted with special Haitian interests. Foreign diplomats likewise learned that in crises the courts could involve the simplest issue in such verbal complexity that months of patience would be necessary to unwind the red tape.

641 6. The pliability of "constitutional rights." Freedom of speech and
661 of the press has been notably lacking, although scurrilous attacks on the administration's enemies have often been permitted. Legislators
642 have been expelled. Graft has flourished. In 1833, for example, two representatives were expelled from the House "for systematically opposing the measures of the executive, and persisting in a demand for a statement of public expenditures." A century later a senator was expelled for almost the same reasons.

701 7. Militarism. Only in this respect is any real change apparent since
178 the American Occupation. The army was always large up to 1915,
642 and so constituted an economic drain as well as a political menace.
669 Generals had great power: they ruled each department and each arrondissement, were subject only to the president, and were at the bottom of every revolutionary movement.[22] Since the Occupation

[162] [701] 22. In 1842, when the population was still less than a million, there were in the district governments 9 generals, 63 colonels, 48 lieutenant colonels, 9 captains, 1 lieutenant, and 28 medical officers; and in the standing army 33 colonels, 95 lieutenant colonels, 825 captains, 654 lieutenants, 577 sublieutenants and ensigns, 6,815 noncommissioned officers, and 25 medical officers. The army had 28,000 soldiers and cost about $600,000 a year. See John Candler, *Brief Notes of Hayti*, pp. 86 ff.

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

175 642 [646] ment that two thirds of the members of either Chamber must be present before a law could be voted—a stipulation making it possible for any clique to hold up legislation by absenting itself.

[643] 1874. The constitution of Domingue who, having defeated the Liberals, promulgated a constitution "profoundly modifying" the language of the 1867 document. It legally concentrated power in the hands of the president—where, indeed, it had always been in spite of constitutional declarations.

1879. Salomon's first constitution, which professed to be a re-examination of Haitian institutions, but was actually not different in essentials from the document of 1846. The line from Pétion to Riché to Salomon and his successors was the main one from which deviations, such as those of Soulouque, occurred.

1886. Salomon's second constitution, a mild revision of his first.

[178] 1889. Hyppolite, the new president, felt it necessary to have a new constitution, although like the constitution of 1886 this was little more than a revision of that of 1879. Under the 1889 document Haiti continued to function, more and more haltingly, up to the time of the American Occupation.

[648] [423] 1918. The constitution drawn up in Washington[7] and forced through in Haiti by a farcical plebiscite. Its most debated provision was the elimination of the prohibition against ownership of land by foreign whites, thus ending the one common point in all previous constitutions since 1805. For the rest, it changed little of the actual structure of Haitian government, but provided a great number of unaccustomed democratic rights: freedom of assembly, trial by jury in political cases, direct election of senators, submission of amendments to popular vote, freedom of the press.

[641] 1927. Although this is considered merely a revision of the 1918 constitution, its changes were actually more noteworthy than many expected by the so-called new constitutions. Thirteen amendments were carried by popular vote, again so overwhelming as to be ridiculous, restricting many of the democratic liberties granted in 1918 which had proved embarrassing both to President Borno and

7. Franklin D. Roosevelt, in his campaign for the vice-presidency of the United States in 1920, claimed that he had written most of this constitution while he was Woodrow Wilson's assistant-secretary of the navy. (See the *New York Times*, August 19, 1920.) The constitution was approved in Haiti by a vote of 69,337 to 335.

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

to the Americans who ruled Haiti through his office. This constitution once more increased the power of the president.

1932. Vincent's constitution, professing to be quite different from the two in effect during the Occupation, but actually closely resembling the 1927 revision with its concentration of power in executive hands. In 1935 an important amendment was added, making it possible for the president to be reëlected.

Despite this welter of constitutions, the essential framework of Haitian government has consisted, except for brief interruptions, of a president, a legislature, and courts. The term of the presidency has varied from four to seven years (in the early days, for life) with the privilege of reëlection being now forbidden, now granted. Two presidents who tried to extend their terms, Salnave and Salomon, were deposed by revolutions for their temerity. Their distinction of being among the few to serve out the allotted term was thus marred by an ignominious end.

Regularly the president was obligated to "maintain internal peace" —a requirement few heads of state have been able to carry out, since internal peace has been most elusive. To aid him in his task he has been given wide powers: he commands the army (always large until 1915; every president except one between 1804 and 1915 was a general) and the navy (never more than a few ill-conditioned vessels, but these important in the general roadless condition of the country); most constitutions also gave him the right to issue necessary proclamations in order to deal with special crises. He "watches over" tribunals by means of appointed commissioners; by this arrangement he may obviously exert pressure for favorable judgments in cases which interest him.

The one body which might conceivably check the president, namely, the legislature, has generally been composed of the president's men, for the Senate has usually been elected by the lower house from a list of candidates proposed by the president, while the representatives would hardly dare defy the man who controlled the army (which presided over such elections) and could dissolve the legislature. By most of the constitutions the president proposed to the legislature all laws except those concerning taxation; even here, since he directed the receipt and issue of public moneys, he was not really limited. Over foreign affairs the executive had effective control by

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

643 reason of his power to name agents accredited to foreign governments; with the approval of the Senate he made treaties and wars. In cases of malversation, or gross corruption, the president might be denounced by the Senate (his own nominees), and the High Court of Justice (his own appointees) would sit in judgment on him; matters [669] have never reached this pass, however, for the Haitian method of checking a president's "malversation" has been the more direct one of revolution.

643 At a salary generally set in the neighborhood of thirty or forty [465] thousand dollars the president could live luxuriously, the highest-paid person in Haiti. The salary combined with the prestige and [661] perquisites of office was enough to explain the eagerness with which men sought the position. "Perquisites" often enough included graft.

645 Details of administration have been in the hands of various departments of state, their number depending upon the constitution then in force. As has been said, the president generally regarded his cabinet members as little more than clerks to attend to details. Only a few in the whole nineteenth century stand out prominently as directors of policy—Boyer as Pétion's secretary-general; Inginac, holding the same position under Boyer; Anténor Firmin, Hyppolite's foreign secretary; and a handful of others. During the four years, 1843–47, of "ephemeral governments" the cabinet ministers sometimes managed to rule their offices, and under the succession of ignorant Negro generals at the end of the century, if the educated élite secretaries had not taken charge of affairs no one would have handled them. Constitutional language made the cabinet officers seem more important than they were, however, for the actual position of a minister was usually that of head clerk, chief errand boy and handy man for the president, and convenient scapegoat when crises arose in foreign affairs, finances, public works, or other spheres.

646 The legislative body has ordinarily consisted of two chambers, the Senate and the Chamber of Representatives. Senators must be thirty years old. They have ordinarily served a nine-year term, being available for reëlection only after three years out of office. The method of choice curbed their power: the lower house selected each senator from a list of three nominated by the president for each vacancy. For a salary of sixteen hundred dollars and freedom from arrest in civil cases, all the senator had to do was to correspond with the president and lower house on public affairs, and decree appro-

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

priations of supplies to the branches of government; the Senate did not initiate legislation. In so far as the Senate checked the president, this check consisted in the body's being in permanent session. A vacation might be voted, but even during this period a resident committee was in the capital, so that attention to presidential actions might always be called by a senator's speeches; and the Senate could reconvene suddenly at will.

The Chamber of Representatives, composed of men of twenty-five and over, was chosen every five years by the "electoral colleges" of the communes—men elected by the leading citizens of the commune. No law is effective "whose draft has not been proposed by the executive, discussed and adopted by the representatives, and decreed by the Senate." It might seem that the phrase, "discussed and adopted by the representatives," would give much power to a Chamber in office for five years; actually the Chamber has rarely proved obstinate, and for good reason. At the expiration of the term of the legislators, the president convokes the communal assemblies to choose new deputies or to reëlect old ones; the army "keeps order" at the election, the Electoral College is hand-picked, and so the president's men have generally been chosen. Their pay has been two hundred dollars a month during the sitting, and a dollar a league for traveling expenses.

Pétion's constitution of 1816 evolved a masterpiece of deceptive generosity in stating that there should be "universal suffrage—except for women, criminals, idiots, and menials—by ballot." Although the group of criminals and idiots might be small, women were more than half the population, and "menials" was interpreted to mean not only house servants but also peasants; in other words, there was "universal suffrage" of about three per cent of the population at the outside. The élite and the army were the only potential voters. Since the elections were held under the watchful eye of the soldiers, and the ballots counted by presidential appointees, there was often extraordinary unity of public opinion.

The judicial branch of the national government, as distinct from the juge de paix of the commune and the courts in the important towns, existed in part only on paper. There was generally a provision in the constitution, for example, for a High Court of Justice, which should have jurisdiction in all charges preferred by the legislative bodies against their own members, against the president of the re-